REGULAR MEETING of the Burrillville Town Council held Wednesday, April 25, 2012 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: None

- 1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.
- 2. VOTED to accept the minutes of the regular meetings held March 28 and April 11, 2012 and the public hearing held March 28, 2012 and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

3. Public Comment:

Michael Tardif of Wallum Lake Road spoke in support of awarding a

contract for automated refuse and recycling collection services, commenting on problems with current collection services.

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley commented on upcoming events sponsored by the Friends of the Library, including a book sale on April 28, 2012 and the silent auction scheduled through May 5, 2012.

Councilor Margaret L. Dudley reminded pet owners of the rabies clinic scheduled for April 29, 2012 at the Department of Public Works.

Councilor Margaret L. Dudley announced the 22nd Family Fair, themed Cinco de Mayo.

Councilor Kevin D. Heitke mentioned several scholarship applications available for graduating seniors.

Councilor Kevin D. Heitke commented on the appeal of the Harrisville-Pascoag bike path. The pending completion of the path was discussed.

Councilor Edward J. Blanchard commended the administration on publishing The Bugle and encouraged residents to acquire a copy of the current edition. Council President Nancy F. Binns congratulated resident Frank Beazley on the naming of The Frank Beazley Building on the campus

of the Eleanor Slater Hospital/Zambarano Unit.

Council President Nancy F. Binns announced a rare book workshop

featuring Ray Rickman scheduled for the Pascoag Public Library on

May 1, 2012.

5. Petitions: None

6. Special Business: None

7. Public Hearings: None

8. Unfinished Business:

12-067 VOTED to open consideration and action on a resolution

relative to Councilor Stephen N. Rawson's proposal for a local bond

issue for the November 2012 ballot.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward

J. Blanchard. The vote was unanimous. Voting in favor of the motion

were Council President Nancy F. Binns, Councilors Wallace F. Lees,

Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J.

Place and Stephen N. Rawson.

Discussion: The Town Council considered a resolution that would request introduction of legislation authorizing a question to the voters relative to issuance of open space bonds. There was discussion of the appropriate time to put the question before voters.

MOTION to approve the resolution as written, to place the bond issue question on the ballot for November 6, 2012 election (as follows):

Burrillville Town Council
Resolution

The Burrillville Town Council hereby authorizes the introduction of legislation in the Rhode Island General Assembly authorizing the Town of Burrillville to promote green energy and finance the acquisition of open space for preservation, conservation and groundwater protection and to issue general obligation bonds and notes therefor to an amount not exceeding one million five hundred thousand dollars (\$1,500,000). The legislation shall provide that the question of the approval of the bond issue shall be submitted to the electors of the Town at an election to be held on a date to be determined by the Town Council, such date to be not later than December 31, 2012. The authority shall expire if issue general obligation bonds and notes are not issued on or before December 31, 2018.

Motion by Councilor Stephen N. Rawson. There was no second.

9. New Business:

12-115 VOTED to open the recommendation to award a contract for automated refuse and recycling collection services: correspondence from Finance Director John P. Mainville, Town Manager Michael C. Wood, Jeffrey McCormick & Andrea Hall of the Department of Public Works, and the Rubbish & Recycling Committee.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: Michael C. Wood, Town Manager, outlined the recommended procedure of 1) awarding the contract for automated refuse and recycling collection services; 2) awarding the bid for carts and 3) first reading of proposed amendments to the recycling ordinance. Jeff McCormick, Director of Public Works and Engineering Services and Andrea Hall, Recycling Coordinator, reviewed and supported the recommendation by the recycling committee. There was discussion of the bids that had been submitted and the reasoning behind the recommendation. The move to automated collection and associated costs were debated.

VOTED to award a five (5) year contract for automated refuse and recycling collection services to Waste Management. This contract will be for a base amount of \$5,140,525 plus other variable costs as outlined in the RFP.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The motion carried, five in favor, two opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilors Edward J. Blanchard and David J. Place voted in opposition.

12-116 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding the recommendation to award the bid for universal recycling and solid waste carts.

Motion by Councilor Kevin D. Heitke. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

MOTION to award the bid for universal recycling and solid waste carts contract to Rehrig Pacific in the amount of \$564,735. (Note that the pricing associated with this contract will also be used to buy replacement carts.)

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Wallace F. Lees. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place voted in opposition.

12-117 First reading of proposed amendments to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, Chapter 22 entitled Solid Waste, repealing Article II. Recycling and replacing it with Article II. Solid Waste and Recyclable Materials.

VOTED to schedule the public hearing at the call of the chair.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-118 VOTED to open consideration and action on ratification of the approved collective bargaining agreement between the Burrillville School Committee and the AFSCME, Local 2231.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor

Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: Council President Nancy F. Binns reported that the collective bargaining agreement had been approved by the School Committee and AFSCME, Local 2231 and that the School Committee was requesting Town Council ratification.

VOTED to approve ratification of the approved collective bargaining agreement between the Burrillville School Committee and the AFSCME, Local 2231.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-119 VOTED to table the correspondence from Kevin Cleary P.E., Chairman, Burrillville Conservation Commission regarding a Clear River Drive Canoe Launch proposal.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees,

Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-120 VOTED to deny the request for an abatement of interest from Bessie Lindenbaum.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-121 Correspondence from Kevin J. Mitchell, President, Nasonville Fire Department.

VOTED to receive and file the invitation to the District's Annual Appreciation Banquet.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED to grant the request that the Town Council adopt proclamations honoring:

2010 Firefighter of the Year - Private Eric Lambert2011 Firefighter of the Year - Private Nick Traficante2010 Officer of the Year Captain Rick Reilly2011 Officer of the Year Captain Donald Pariseau

2011 EMT of the Year Pfc Jacob Gabrielson

35 Years of Service - John Mainville

30 Years of Service - Alan Gloria

Motion by Councilor Wallace F. Lees. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-122 VOTED to support Town Council President Nancy F. Binns' reappointment of David Fontaine to the Redevelopment Agency.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place voted in opposition.

12-123 VOTED to refer to the Screening Subcommittee the applications for reappointment from William Andrews of the Sewer

Commission and Cynthia Carlozzi of the Conservation Commission.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-124 VOTED to receive and file the Department of Environmental Management request for applications for America the Beautiful – Tree Rhode Island 2012 Grants program.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-125 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding police/fire radio system repairs.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: Major Lareto P. Guglietta and Harrisville Fire Chief Mark St. Pierre presented the Town Council with a request for funding repairs to the radio system damaged during Tropical Storm Irene. The matter was discussed.

VOTED to authorize WPCS International Incorporated to repair the police/fire radio communication system at a cost of \$5,428 from the Police Capital Improvement line item (0100783-554500).

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Pending Legislation:

12-126 VOTED to open adoption of a resolution amending the Burrillville Town Council Rules of Order.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: There was discussion of the purpose and impact of the proposed rule change. Councilors Place, Heitke and Blanchard spoke in favor of the resolution. Councilor Dudley spoke in opposition.

MOTION to oppose the current change in rules.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The motion failed, three in favor, four opposed. Voting in favor of the motion were Councilors Edward J. Blanchard, Margaret L. Dudley and Stephen N. Rawson. Voting in opposition were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin D. Heitke and David J. Place.

VOTED to approve a resolution amending the Burrillville Town Council Rules of Order, as follows:

Burrillville Town Council Resolution

Amending the Burrillville Town Council Rules of Order

The Burrillville Town Council Rules of Order are hereby amended by adding Rule 6(G) as follows:

RULE 6 – AGENDA

G. When the Burrillville Town Council receives a request for support of a resolution from another Rhode Island City or Town Council or

School Committee, the Town Clerk will determine whether the Burrillville Town Council has taken a position on the proposed legislation.

- 1. If the Town Council has not taken a position on the proposed legislation, the resolution will be included on the Town Council's agenda for consideration and action.
- 2. If the Town Council has previously taken a position, the resolution will be filed without the necessity of presenting the correspondence to the Town Council. The town clerk, on behalf of the Town Council, will, in writing, thank the Town Council or School Committee that submitted the resolution.

Adopted this 25th day of April 2012

Motion by Councilor David J. Place. Seconded by Councilor Kevin D. Heitke. The motion carried, four in favor, three opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin D. Heitke and David J. Place. Voting in opposition were Councilors Edward J. Blanchard, Margaret L. Dudley and Stephen N. Rawson.

12-127 Consider and act on resolutions.

A) East Greenwich Town Council, supporting Senate Bill 2012 – S 2310, An Act Relating to Education – School Committees and Superintendents

MAIN MOTION to receive and file.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Wallace F. Lees.

AMENDED MOTION: to receive and file and forward to the School Committee for their review and to make sure the Senator is well aware of our stance on it.

Amendment by Councilor Edward J. Blanchard. There was no second.

VOTED to table and to refer this to the School Committee for their opinion.

Motion by Councilor David J. Place.

The main motion and second and the amended motion were withdrawn.

Seconded by Councilor Wallace F. Lees. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and David J. Place. Councilor Stephen N. Rawson voted in opposition.

B) Exeter and Jamestown Town Councils, supporting Senate Bill 2012 – S 2369 and House Bill 2012 – H 7603, Joint Resolution to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (Ethics Commission).

MOTION to receive and file.

Motion by Councilor Edward J. Blanchard. There was no second.

VOTED to support.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition.

C) VOTED to support the Glocester Town Council resolution in opposition to House Bill 2012 – H 7867, An Act Relating to Health and Safety – Taxation – Impact Fees.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The motion carried, five in favor, two opposed. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke, and

Stephen N. Rawson. Councilors Edward J. Blanchard and David J. Place voted in opposition.

10. Town Clerk/Communication:

11-300 VOTED to receive and file the correspondence from the Rhode Island Division of Planning approving the Burrillville Comprehensive Five-year Update adopted by the Burrillville Town Council on December 14, 2011.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-066 VOTED to receive and file the correspondence from the United States Department of Agriculture regarding Rural Development's concurrence with the March 14, 2012 awarding of the Farmers' Market Pavilion bid to the low bidder, Adler Construction.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-128 VOTED to receive and file the correspondence from Rhode Island Housing regarding the 2012 Partners in Housing Award, attained by the Town of Burrillville in the Municipal category.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-129 Correspondence from Sandra A. MacDonald regarding the Burrillville Citizens' Police Academy Program.

VOTED to send a letter of acknowledgement, thanking her for her comments, and receive and file her correspondence.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-130 VOTED to receive and file the Department of Environmental Management notice of application 11-0118 requesting permission to alter freshwater wetlands in the Town of Burrillville (Assessor's Plat 210, Lot 23).

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-131 VOTED to receive and file the Department of Environmental Management notice of proposed permit actions under RIPDES program.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-132 VOTED to receive and file the Department of Environmental Management notice – 24 North Main Street, Burrillville.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

11. VOTED that reports #1 – 26 be received, as follows:

- 1. Town Treasurer: Report of February and March 2012
- 2. Burrillville Sewer Commission: Meetings of February 14 and March
- 13, 2012 and report of March 2012
- 3. Tax Collector: Report of March 2012
- 4. Department of Public Works: No report
- 5. Chief of Police: Report of March 2012
- 6. Office of Building Official: Report of March 2012
- 7. Animal Control Officer: Report of March 2012
- 8. Parks and Recreation Department: No report
- 9. Burrillville Extended Care: Report of April 2012
- 10. Emergency Management Agency: No report
- 11. Information Systems Department: Report of April 2012
- 12. Burrillville Housing Authority: Meeting of March 14, 2012
- 13. Planning Board/Town Planner: No report
- 14. Recreation Commission: No report
- 15. Burrillville Conservation Commission: Meetings of January 12 and
- February 14, 2012
- 16. Ordinance Subcommittee: No report
- 17. Redevelopment Agency: No report
- 18. B-PAC: No report
- 19. Personnel Board: Meetings of February 13 and March 20, 20122
- 20. Screening Subcommittee: No report
- 21. Budget Board: Meetings of February 9, 16 & 23, March 1, 8, 15 &

- 22, 2012
- 22. Burrillville School Committee: Meeting of March 13, 2012
- 23. Rubbish & Recycling Committee: Meeting of February 27, 2012
- 24. Cemetery Maintenance Committee: No report
- 25. Board of Canvassers: Meeting of March 22, 2012
- 26. Juvenile Hearing Board: Report of March 2012

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12. Additional New Business:

12-133 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property (Map 159, Lot 003, Mitchell and Map 209, Lot 085, Altinian).

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

There was a recess before executive session.

The Town Council returned to open session at 8:36 P.M.

VOTED to seal the minutes of executive session, noting that two votes had been taken.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

13. VOTED to adjourn at 8:36 P.M.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Louise R. Phaneuf, Town Clerk